

REMARKS

Reconsideration of the present application is respectfully requested. Claims 54 and 57 have been amended. Claims 19-20, 32 and 46-53 have been previously cancelled. Claim 56 has been cancelled in this response. No new matter has been added.

Objections to Drawings

The drawings stand objected to by the Draftsperson under 37 CFR 1.84 or 1.152. Applicants hereby request that the objections be held in abeyance until the application is otherwise deemed allowable.

Claim Rejections

§112 Rejections

Claims 1-11 and 54-60 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner alleges that the limitation “without sending the message to an entity associated with the specified destination telephone number” in claim 1 and the limitation “wherein the predetermined indicator indicates that the first message is not to be sent to a destination of the first message but to request content associated with the destination” in claims 54 and 58 were not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention (see Final Office Action mailed on 8/1/2006, pages 4-5).

To satisfy the written description requirement, a patent specification must describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. MPEP 2163.

Paragraph [0050] of the present application's specification states that "[t]he MMS protocol router 25 in the MMS publishing system 7 **intercepts** this MMS message and, based on the fact that the MMS message is directed to the User 1's telephone number and includes the "*" character, **determines that the MMS message is actually a request for User 1's published content, not a user-to-user message**" (emphasis added). Thus, if a message is a request for a user's published content, it is intercepted and not treated as a regular user-to-user message. Since the purpose of the message is to access content and the fact that it is not treated as a regular user-to-user message, a person of ordinary skill in the art would appreciate that the message will not be sent to the destination. The fact that the destination telephone number of the message is used for identifying content further helps a person of ordinary skill in the art to understand the principle of the invention. Therefore, the limitation "without sending the message to an entity associated with the specified destination telephone number" in claim 1 and the limitation "wherein the predetermined indicator indicates that the first message is not to be sent to a destination of the first message but to request content associated with the destination" in claims 54 and 58 are described in the specification in such a way as to clearly convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

§102 Rejections

Independent claims 1, 54 and 58 stand rejected under 35 U.S.C. § 102(e) based on Smith (U.S. Pub no. 2002/0042277). Applicants respectfully traverse the rejection.

Claim 1 recites:

1. A method comprising:
 receiving a message sent over a network by a first user from a mobile device, the message conforming to an asynchronous messaging protocol for sending person-to-person messages between mobile devices;
 identifying a specified destination telephone number of the message;
 determining whether the specified destination telephone number corresponds to a predetermined telephone number;
 if the specified destination telephone number corresponds to the predetermined telephone number, then
 using an indicator in the message to **identify network-based content that has been published by a second user**, and
 sending the network-based content to the first user in response to the message, without sending the message to an entity associated with the specified destination telephone number.
(Emphasis added)

By contrast, Smith does not teach or suggest the above emphasized limitation, namely identify network-based content that has been published by a second user.

Smith discloses a method of providing a mobile station's location information, not accessing network-based content published by a user. The Examiner contends that the location information of a mobile station can be considered as content published by the user of the mobile station (see Final Office Action mailed on 8/1/2006, page 6). However, even assuming *arguendo* that location information of a mobile station may be considered as network-based content, the location information is not published by the user of the mobile station. Rather, as disclosed in Smith, the location information is made available by the wireless carrier (see Smith's paragraph 0021).

Thus, at least for the foregoing reasons, Smith does not teach or suggest all of the limitations of claim 1. Claim 1 and all claims which depend on it are therefore patentable over Smith.

Independent claims 54 and 58 each recite limitation similar to the limitation discussed above for claim 1. For similar reasons, claims 54, 58 and all claims which depend on them are also patentable over Smith.

Independent claim 18 stands rejected under 35 U.S.C. § 102(e) based on Vanttila et al. (U.S. Pat. No. 5,794,142, hereinafter “Vanttila”). Applicants respectfully traverse the rejection.

Claim 18 recites:

18. A method of providing access to network-based content, the method being performed in a processing system coupled to a wireless network and to a wireline computer network, the method comprising:

- receiving a message sent over the wireless network by a first end user from a mobile device, the message conforming to an asynchronous messaging protocol for sending person-to-person messages between mobile devices;
- identifying a destination telephone number to which the message is directed;
- determining whether the destination telephone number corresponds to a telephone number of a wireless carrier;
- if the destination telephone number corresponds to the telephone number of the wireless carrier, then
 - identifying a predetermined indicator in the message,
 - using the predetermined indicator to identify network-based content previously published by a second end user, and**
 - sending the network-based content to the first end user.**

(Emphasis added)

In contrast, Vanttila does not teach or suggest the above emphasized limitations. Vanttila discloses a method of sending a short message service (SMS) message to a mobile device from an operator's site to activate a network service function (Vanttila's Abstract). Vanttila, however, contains no discussion regarding network-based content published by an end user of a mobile device. The Examiner contends that Vanttila's column 6, lines 13-33 teaches content inherently

published by a user (see Final Office Action, page 9). Applicants analyzed the cited section, but found no such discussion. Specifically, Vanttila's column 6, lines 13-33 discusses the process of activating a selected function by a user of a mobile device. As disclosed in the cited section, the user selects a desired function and sends an SMS message to the network provider's site. The network provider receives the SMS message, authenticates the request for activating the function and updates the database accordingly. The provider then composes an SMS message and sends it back to the mobile device. After receiving the SMS message from the provider, the mobile device updates its local function lists and enables the selected function in the menu. Thus, the cited section of Vanttila does not teach or suggest network-based content published by an end user, much less using a predetermined indicator to identify the network-based content, such as recited in claim 18. At least for the above reasons, Vanttila does not anticipate claim 18. Claim 18 and all claims which depend on it are therefore patentable over Vanttila.

Independent claims 33 and 40 stand rejected under 35 U.S.C. § 102(e) based on Nemirofsky (Pub. no. 2004/0117255). Applicants respectfully traverse the rejections.

o Claim 33 recites:

33. A method of accessing published content from a mobile device on a wireless network, the method comprising:
outputting a user interface on the mobile device; and
responding to a single-action user input directed to the user interface by requesting content from a remote processing system using a first message which conforms to an asynchronous messaging protocol for sending person-to-person messages between mobile devices.
(Emphasis added)

By contrast, Nemirofsky does not teach or suggest responding to a single-action user input directed to the user interface by requesting content from a remote processing system using a first message which conforms to an asynchronous messaging protocol for sending person-to-

person messages between mobile devices, such as recited in claim 33. The Examiner, however, alleges that Nemirofsky's paragraphs [0034], [0045], and [0055] teach the limitation.

Specifically, the Examiner contends that paragraph [0034] discloses the single-action user input. Applicant respectfully disagrees. Paragraph [0034] discusses a method allowing a user to input a message code manually by using a user interface provided by a universal digital assistant (UDA). However, as disclosed therein, a message code is a string. A string is commonly known as including at least one character. Thus, the user needs to make at least two key strokes to type the message code and hit the "Enter" (or "Return") key to inform the mobile device that the input is finished. Therefore, paragraphs [0034], [0045] and [0055] do not teach or suggest responding to a single-action user input. Rather, these cited paragraphs disclose responding to a multi-action user input.

Thus, at least for the foregoing reasons, claim 33 and all claims which depend on it are patentable over Nemirofsky.

Similarly, claim 40 includes similar limitations as discussed above for claim 33. Thus, claim 40 and all claims which depend on it are also patentable over Nemirofsky.

§103 Rejections

Independent claim 1 stands rejected under 35 U.S.C. § 103(a) based on Vanttila in view of Smith. Applicants respectfully traverse the rejection.

Claim 1 recites a limitation of identifying network-based content that has been published by a second user. As discussed above, Vanttila and Smith, individually or in combination, do not

teach this limitation. Thus, Vanttila and Smith do not render claim 1 obvious. Therefore, claim 1 and all claims which depend on it are patentable over Vanttila and Smith.

Independent claim 12 stands rejected under §103(a) based on Thakker in view of Ohmae (Pub. no. US 2003/0053608). Applicant respectfully traverses the rejection.

Claim 12 recites:

12. A method of providing access to network-based content, the method being performed in a processing system coupled to a wireless network and to a wireline computer network, the method comprising:

receiving a message sent over the wireless network by a first end user from a mobile device, the message conforming to an asynchronous messaging protocol for sending person-to-person messages between mobile devices, **the message including a telephone number of a second end user;**

identifying a destination telephone number to which the message is directed, wherein the destination telephone number is a telephone number of a network entity other than an end user;

determining whether the destination telephone number corresponds to a predetermined number;

if the destination telephone number corresponds to the predetermined number, then

identifying a predetermined indicator in the message,
using the telephone number of the second end user and the predetermined indicator in the message to identify network-based content that has been published by the second end user, and

sending the network-based content to the first end user.

(Emphasis added)

As explained in the response to the Office Action mailed on 1/27/2006, claim 12 essentially recites a message sent by a first end user from a mobile device, the message having a telephone number of a second end user. Because claim 12 also recites that the destination telephone number of the message is a telephone number of a network entity other than an end user, the telephone number of the second end user is different from the message's destination telephone number.

The Examiner admits that Thakker fails to disclose the message including a telephone number of a second end user and using the telephone number of the second end user in the message to identify network-based content (see Final Office Action mailed on 8/1/2006, page 15). The Examiner, however, contends that Ohmae teaches or suggests the above emphasized limitation. The Examiner argues that “in Ohmae the photographer and/or the permitted viewer can view the images stored by sending user authentication information (paragraph [0096]), which incorporates a telephone number (paragraph [0081]), used to identify the network-based content (paragraphs [0092]-[0094]).” However, paragraph [0096] only states that “the user (photographing person or permitted viewer) can view the images stored in the image processing server.” Contrary to what the Examiner argued, paragraph [0096] does not include the language “view the images stored by sending user authentication information.” Further, the telephone number referred to in paragraph [0081] is the telephone number input by a user during the user’s registration to the image processing server. Paragraphs [0092]-[0094] do not teach or suggest associating stored image data with the user’s telephone number, and contains no discussion of sending a telephone number to identify images. Rather, as disclosed in paragraph [0093], additional pieces of information, such as photographed date, and the image data are stored in the user information DB. A viewer sends necessary image information (such as the date of photographing) to the image processing server to identify images (Ohmae’s paragraph [0101]). Further, as shown in Ohmae’s Figures 9, 10 and 11, a user searches images stored in user information DB by using the date of photographing and/or location of photographing to, not by using the telephone number of the user who has uploaded these or some of these images.

At least for the above reasons, Thakker and Ohmae do not teach or suggest all of the limitations of claim 12, either individually or in combination. Therefore, claim 12 and all claims which depend on it are patentable over Thakker and Ohmae.

Independent claims 23 and 28 stand rejected under §103(a) based on Ohmae in view of Thakker. Applicants respectfully traverse the rejections.

Claim 23 recites:

23. A method of publishing content from a mobile device on a wireless network, the method comprising:

outputting a user interface on the mobile device; and
responding to a **single-action user input directed to the user interface** by causing content to be transmitted from the mobile device to a remote processing system and stored in the remote processing system, such that the content, when stored in the remote processing system, is available for transmission to a second device in response to a message from the second device, the message conforming to an asynchronous messaging protocol for sending person-to-person messages between mobile devices.
(Emphasis added)

As explained in the response to the Office Action mailed on 1/27/2006, claim 23 essentially recites a single-action publishing mechanism. In contrast, Ohmae and Thakker, individually or in combination, do not teach or suggest the above claimed invention, particularly a single-action user input directed to a user interface outputted on a mobile device which causes content to be transmitted from the mobile device to a remote processing system and stored in the remote processing system.

The Examiner, however, argues that in Ohmae the pressing of the shutter button may be considered as a single-action user input that causes content to be transmitted from the device to the remote processing system (see Final Office Action, page 3). Even assuming *arguendo* that the pressing of the shutter button may be considered as a single-action user input, it is not a

single-action user input directed to a user interface outputted on a mobile device, such as recited in claim 23.

Thakker does not teach or suggest responding to a single-action user input directed to the user interface outputted on a mobile device by causing content to be transmitted from the mobile device to a remote processing system and stored in the remote processing system. Neither does the Examiner contend so.

Therefore, at least for the foregoing reasons, claim 23 and all claims which depend on it are patentable over Ohmae and Thakker.

Similarly, claim 28 recites essentially limitations similar to those discussed above for claim 23. Thus, for similar reasons, claim 28 and all claims which depend on it are also patentable over Ohmae and Thakker.

Independent claims 54 and 58 stands rejected under §103(a) based on Ohmae in view of Thakker. However, the Examiner did not specify the reasons for these rejections in this Final Office Action. Nonetheless, Applicants respectfully traverse the rejections and respectfully submit the following response.

Claim 54 recites:

54. A method of providing a directory of published content to a user of a mobile device operating on a wireless network, the method comprising:

receiving a first message from a first mobile device via the wireless network, the first message initiated by a first user using the first mobile device, the first message conforming to an asynchronous messaging protocol for sending person-to-person messages between mobile devices;

detecting a predetermined indicator in the first message, wherein **the predetermined indicator indicates that the first message is not to be sent to a second mobile device associated with a destination telephone number of the first message** but to request content published by a second user of the second mobile device; and
in response to detecting the predetermined indicator in the first message,

identifying a set of network-based content published by the second user,
and
sending to the first mobile device a second message identifying the set of
network-based content, as a response to the first message, the second message
conforming to said protocol.
(Emphasis added).

In contrast, Ohmae and Thakker, individually or in combination, do not teach or suggest
a predetermined indicator which indicates that a message is not to be sent to a mobile device
associated with a destination telephone number of a message, such as recited in claim 54.

As explained in the response to the Office Action mailed on 1/27/2006, Ohmae discloses
a method to view an image uploaded onto an image processing server. Ohmae's method
involves sending authentication information first by the viewing user and then sending
information (such as the date of photographing) to identify image to be viewed. As disclosed in
Ohmae, the destination of the authentication information and the information to identify image is
the image processing server. Thus, even assuming *arguendo* that these pieces of information are
sent in messages conforming to an asynchronous messaging protocol for sending person-to-
person messages between mobile devices, these messages are always sent to the destination, the
image processing server. Ohmae therefore does not teach or suggest that a message sent to the
image processing server includes a predetermined indicator indicating that the message is not to
be sent to the image processing server.

Neither does Thakker teach or suggest the above emphasized limitation of claim 54.
Thakker discloses a method for sending a short message from a mobile device to a remote
application. Although the message is to access the remote application for information, the
message does not include any predetermined indicator indicating that the message is not to be
sent to the remote application. Moreover, the message in Thakker is always sent to the remote
application.

Thus, at least for the foregoing reasons, Ohmae and Thakker do not teach or suggest each and every limitation of claim 54. Therefore, claim 54 and all claims which depend on it are patentable over Ohmae and Thakker.

Claim 58 recites essentially limitations similar to those discussed above for claim 54. Thus, for similarly reasons, claim 58 and all claims which depend on it are also patentable over Ohmae and Thakker.

Independent claims 33 and 40 stand rejected under 35 U.S.C. § 103(a) based on Randall et al. (U.S. Pub. No. 2004/0024846, hereinafter “Randall”) in view of Thakker. Applicants respectfully traverse the rejections.

Claim 30 recites the limitation of responding to a single-action user input directed to a user interface by requesting content from a remote processing system. In contrast, Randall and Thakker, individually or in combination, do not teach or suggest this limitation. The Examiner, however, contends that Randall’s paragraph [0493] teaches or suggests this limitation. Randall discloses a method of enabling a wireless information device to access data from several data services providers. Specifically, Randall’s paragraph [0493] discloses manually obtaining up to date contact information of a person to be called if the cached information of that person is incorrect anymore. There is no discussion regarding a single-action user input directed to a user interface which triggers requesting content from a remote processing system, such as recited in claim 30. Thakker also does not teach or suggest the above discussed limitation. Neither does the Examiner contend so. Thus, at least for the foregoing reasons, claim 30 and all claims which depend on it are patentable over Randall and Thakker.

Claim 40 recites limitations similar to those discussed above for claim 30. Therefore, for similar reasons, claim 40 and all claims which depend on it are patentable over Randall and Thakker.

Dependent Claims

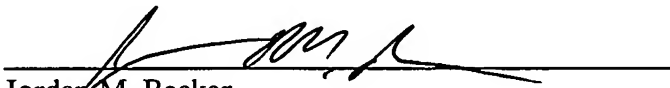
In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,
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